

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 1. Air Resources Board

Subchapter 8.5 Consumer Products

Article 5. Hairspray Credit Program

§ 94571. Modification and Reconciliation of Account Balance for HERC Use.

(a) *Modification of Account Balance After Approval of HERC Use.* When an application for HERC use is approved, the Executive Officer shall modify the applicant's HERC account to remove the amount of HERCs necessary to offset the excess emissions, as specified in the application (e.g., for use pursuant to section 94567(a), "Projected Excess Emissions" calculated pursuant to section 94569) and, if applicable, to provide the additional amount of HERCs required pursuant to section 94567(h).

(b) *Requirement to Submit Information on Documented Sales and Actual Excess Emissions.* For HERC use pursuant to section 94567(a) only, the responsible party (i.e., the applicant for HERC use or the HERC Account holder) must submit to the Executive Officer, within 120 days after the conclusion of the delayed compliance period, documented sales for the delayed compliance period and "Actual Excess Emissions" calculated in accordance with section 94569. For a delayed compliance period of more than 365 days, information on documented sales and actual excess emissions must be submitted annually in accordance with the time schedule specified in the Executive Order approving the application to use HERCs.

(c) *Correction of Account Balance.* The Executive Officer shall debit or credit the HERC Account accordingly to correct for any difference between the "Projected Excess Emissions" and the "Actual Excess Emissions" during the delayed compliance period (or portion of the period, if applicable), including any additional amount of HERCs required pursuant to section 94567(h), based on the documented sales information submitted in accordance with section 94571(b).

(d) *Reconciliation of Negative Balance.* If correction of the HERC Account pursuant to section 94571(c) results in an overall negative balance in the HERC Account, the responsible party must completely reconcile the negative balance within 180 days of the conclusion of the delayed compliance period (or portion of the period, if applicable) or within the time period specified in the Executive Order.

NOTE: Authority cited: Sections 39600, 39601 and 41712, Health and Safety Code. Reference: Sections 39002, 39600, 40000 and 41712, Health and Safety Code.

REFERENCE